

## INSURANCE DIVISION[191]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code sections 505.8(19) and 522D.10, the Insurance Division hereby gives Notice of Intended Action to amend Chapter 85, “Regulation of Navigators,” Iowa Administrative Code.

Chapter 85 contains the rules regulating the licensing and conduct of health care navigators in the state of Iowa. The proposed subrule makes one change to the provisions. The subrule requires navigator entities to provide the Division with information regarding the termination of a navigator entity’s relationship with an individual navigator. The navigator entity must notify the Commissioner of Insurance if the individual navigator is terminated for cause. The navigator entity must notify the Division when the navigator entity is no longer recognized as a navigator by the U.S. Department of Health and Human Services. The Division is the state agency charged with regulating navigators, and this amendment enables the Division to maintain accurate records about who is acting as a navigator within the state.

The Division intends that the subrule become effective November 19, 2014, and that compliance with the adopted subrule begin on November 19, 2014, in order to allow enforcement of the subrule during open enrollment.

Any interested person may make written suggestions or comments on this proposed amendment until 4:30 p.m. on September 9, 2014. Such written comments shall be directed to the Consumer Advocate Bureau, Two Ruan Building, 601 Locust Street, Fourth Floor, Des Moines, Iowa 50309; fax (515)281-3059; e-mail [Angel.Robinson@iid.iowa.gov](mailto:Angel.Robinson@iid.iowa.gov).

A public hearing will be held September 9, 2014, at 2:30 p.m. at Two Ruan Building, 601 Locust Street, Fourth Floor, Des Moines, Iowa. Any persons who intend to attend the public hearing and have special requirements, such as those relating to hearing or mobility impairments, should contact the Consumer Advocate and advise of specific needs.

The proposed amendment is subject to the general waiver provisions of the Division in 191—4.24(17A).

This amendment is not expected to have any significant impact on jobs.

This amendment is intended to implement Iowa Code sections 505.8(19) and 522D.10.

The following amendment is proposed.

Adopt the following **new** subrule 85.9(4):

**85.9(4)** A navigator entity shall notify the division in writing, within 30 days, when a relationship is terminated with an individual navigator who was formally retained, employed, or affiliated with, or worked for or in conjunction, or as a part of a consortium, with that navigator entity. If a navigator entity terminates a relationship with an individual navigator for cause, the navigator entity shall notify the commissioner in writing. The navigator entity shall notify the commissioner if the reason was one of the reasons set forth in Iowa Code section 522D.7. The navigator entity shall comply with Iowa Code section 522D.8 and, upon request, furnish to the commissioner or authorized representative additional information, documents, records or other data pertaining to the termination or activity of the individual navigator.